United Nations S/2003/1161

Security Council

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Fourteenth report of the Secretary-General pursuant to paragraph 14 of resolution 1284 (1999)

I. Introduction

1. The present report is submitted pursuant to paragraph 14 of Security Council resolution 1284 (1999), in which the Council requested me to report every four months on the compliance by Iraq with its obligations regarding the repatriation and return of all Kuwaiti and third-country nationals, or their remains, and every six months on the return of all Kuwaiti property, including archives, seized by Iraq. The present report covers both issues. The report also provides a retrospective view on the developments relevant to the mission of the High-level Coordinator since it was established nearly four years ago.

2. It will be recalled that in my thirteenth report (S/2003/813) I called on the Security Council to consider bringing the Coordinator's mandate to a close when the next report was submitted in December. I noted the ongoing progress on the issue and strongly encouraged continuing collaboration between Iraq and Kuwait within the framework of the Tripartite Commission and the International Committee of the Red Cross (ICRC). Introducing that report to the Security Council on 26 August, the Coordinator, Ambassador Yuli Vorontsov, stressed that those efforts were set to intensify with the assistance of the Coalition Provisional Authority and the Iraqi Governing Council.

3. In their interventions, members of the Council stressed that although the Coordinator's mandate could be brought to a close by the end of the year, the search for those whose whereabouts were still unknown, as well as for the remains of the missing persons, should continue until all files were closed. Security Council members also noted that the efforts to shed light on the fate of the missing people should be intensified in the remaining months. Ambassador Vorontsov welcomed the commitment expressed by the United States of America and the United Kingdom of Great Britain and Northern Ireland to the search for and repatriation of all Kuwaiti and third-country nationals, or the identification and return of their remains, in cooperation with Kuwait, the Iraqi authorities, the Tripartite Commission and ICRC.

4. A member of the Security Council stated that the Council should decide on the future of the Coordinator's mandate after the submission of the Secretary-General's report in December 2003. It also intended to consult the Kuwaiti side on the issue.

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5. In a statement to the press, the President of the Security Council observed that members of the Security Council had taken note of the recommendation that the next report of the Secretary-General, due in December, should be the last one. They expressed the hope that all outstanding issues could be resolved by that time.

II. Overview of the High-level Coordinator's mission

6. On 14 February 2000, I appointed Ambassador Yuli Vorontsov of the Russian Federation as the High-level Coordinator, pursuant to paragraph 14 of resolution 1284 (1999). In addition to resolution 1284 (1999), the provisions of Security Council resolutions most relevant to the issue of Kuwaiti and third-country nationals and Kuwaiti property could be found at the time of Mr. Vorontsov's appointment in resolutions 686 (1991), 687 (1991) and 706 (1991). The panel on prisoners of war and Kuwaiti property, established under the Chairmanship of Ambassador Celso L. N. Amorim of Brazil, made a valuable inventory of those resolutions in March 1999. The Coordinator was guided by the panel's recommendations, especially at the initial stage of his work.

7. Pursuant to those resolutions, Iraq was required, among other things, to release immediately, under the auspices of ICRC, all Kuwaiti and third-country nationals detained by Iraq, or return their remains, and to extend all necessary cooperation to ICRC. Those Iraqi obligations were reiterated in resolution 1284 (1999), in which the then Government of Iraq was called upon to resume cooperation with the Tripartite Commission and its Technical Subcommittee.

8. In view of the above, the ultimate objective of the Coordinator was to assist in closing the largest possible number of files on Kuwaiti and third-country nationals and to coordinate the return of Kuwaiti property. At the beginning of 2000, there was an expectation that those persons could be located and repatriated. When the Coordinator embarked on his mission, there were hopes that they, or some of them, were still alive, although held in captivity or still hiding somewhere in Iraq.

9. Given the nature of his mandate and the sensitivity of the matters involved, the High-level Coordinator did not himself engage in investigations regarding Kuwaiti prisoners of war and missing persons or transfers of property by Iraq to Kuwait. Rather, throughout the mission, he coordinated and encouraged the efforts of all parties concerned, serving as a focal point for these questions. Ambassador Vorontsov kept the international community informed of developments through reports to the Security Council.

10. It should be recalled that the Riyadh Agreement of 12 April 1991, signed by the representatives of France, Iraq, Kuwait, Saudi Arabia, the United Kingdom of Great Britain and Northern Ireland and the United States of America, assigned the task of ascertaining the fate of military personnel and civilians missing after the Gulf War to the Tripartite Commission, assisted by its Technical Subcommittee. While the Coordinator worked independently of the Tripartite Commission, he maintained an effective relationship with that body. He did not attend the meetings of the Tripartite Commission or its Technical Subcommittee, but he was present on the sidelines of many of those meetings.

11. Pursuant to his mandate and in order to maintain working contacts with all the parties involved with the issues of the repatriation and return of all Kuwaiti and

third-country nationals, or their remains, and the return of all Kuwaiti property, the Coordinator visited Bahrain, Egypt, France, Germany, Iraq, Italy, Jordan, Kuwait, Oman, Saudi Arabia and the United Kingdom. He had meetings with high-level officials of these and other countries on the sidelines of the Millennium Summit and the general debates in the General Assembly. He discussed the issues relevant to his mandate with senior officials of the Islamic Republic of Iran, the Russian Federation and the Holy See. Ambassador Vorontsov had a series of meetings with the United States representatives in Washington, D.C., and New York to discuss the issues and coordinate the search for missing persons.

12. The Coordinator regularly briefed the Security Council. He met with representatives of ICRC, and was mindful of the need to respect its independence. The Coordinator conducted frequent consultations with the leadership and representatives of the League of Arab States and the Organization of the Islamic Conference. He contacted officials of the Movement of Non-Aligned Countries and the European Union. He was in contact with the Special Rapporteur of the Commission on Human Rights, the Chairman of the Security Council Committee established by resolution 661 (1990) and the Executive Secretary of the United Nations Compensation Commission. The Coordinator also had a meeting regarding his mission with the late Sergio Vieira de Mello, Special Representative of the Secretary-General for Iraq.

13. From the very beginning of his mission, Ambassador Vorontsov stated his readiness to meet with the Iraqi officials at any time and any place. In view of its attitude towards resolution 1284 (1999), however, Iraq refused to cooperate with the Coordinator until July 2002, when the then Foreign Minister of Iraq met with the Coordinator for the first time. Ambassador Vorontsov travelled to Iraq in January 2003. A full account of his trip is provided in my eleventh report (S/2003/419).

14. At meetings at Headquarters, or during official missions, including in international forums, I drew attention to the unresolved issues of Kuwaiti prisoners of war and missing persons and properties. In my contacts with Iraqi representatives, I encouraged them to adopt a constructive position on the issue of missing persons and properties, including the national archives, and to cooperate with the Coordinator.

15. I have submitted 14 reports to the Security Council pursuant to paragraph 14 of resolution 1284 (1999), including the present one. Six reports (S/2000/347 and Corr.1, S/2001/796, S/2002/419, S/2002/931, S/2003/419, S/2003/813) dealt with the issue of the Iraqi obligations regarding the repatriation and return of all Kuwaiti and third-country nationals or their remains. Four reports (S/2000/575, S/2001/582, S/2002/664, S/2003/614) addressed the question of the return by Iraq of all Kuwaiti property. Four reports dealt with both issues (S/2000/1197, S/2001/1196, S/2002/1349, S/2003/1161).

III. Repatriation and return of all Kuwaiti and third-country nationals or their remains

16. The humanitarian character of the issue of prisoners of war and missing persons was recognized by the international community from the very beginning. Iraq was urged to repatriate to Kuwait the missing persons who were still alive or to recover their mortal remains for return to the families. The Coordinator repeatedly

called on the then Iraqi authorities to show understanding and goodwill so that the pending files could be closed and the suffering of the families of the missing people could come to an end as soon as possible.

17. Statements to the press by the President of the Security Council conveyed the Council's hope that the question would be dealt with as a strictly humanitarian one and that concrete and substantive progress on the matter could be attained. The Council consistently called upon the Government of Iraq to cooperate fully with the Coordinator.

18. The appeals and endeavours on the part of all parties concerned, both States and international organizations, were aimed at persuading Iraq to disclose the fate of Kuwaitis and third-country nationals not accounted for since the Gulf War, and to facilitate their repatriation or the return of their remains. The League of Arab States, the Organization of the Islamic Conference, the Non-Aligned Movement, the European Union and the Gulf Cooperation Council repeatedly called on Iraq to change its stance of non-cooperation.

19. At the time when the Coordinator's mission began, the then Iraqi regime argued that it had returned all Kuwaiti prisoners of war and did not have detainees in its territory. It was willing to recognize the problem only as one of missing persons. Iraq maintained that it continued to search and enquire for missing persons of all nationalities, including Kuwaitis. Iraq admitted to having detained 126 people in Basra in 1990, but claimed to have no knowledge of their whereabouts after the unrest in Iraq's southern governorates in March 1991. The Iraqi officials alleged that the detainees in question might have escaped during the riots and that all documents that could have provided a basis for the search were destroyed or lost. This position was upheld by Saddam Hussein's regime until its demise in April 2003.

20. Moreover, at the end of 1998, Iraq decided to discontinue its participation in the work of the Tripartite Commission and its Technical Subcommittee. When Iraq resumed participation in the Technical Subcommittee (after the quorum rule of the Technical Subcommittee was suspended) in January 2003, it did not provide any new information on the fate of the Kuwaiti and third-country nationals, be they prisoners of war, civilian detainees or missing persons. Reportedly, the Iraqi delegation to the Technical Subcommittee avoided giving an adequate account of what had happened to them. The only progress made during those meetings was on the Iraqi cases submitted by Kuwait.

21. It should be noted that Iraq had claimed that 1,137 of its own people were missing after the Gulf War. It asserted that many had been killed and buried in Kuwait, including in the reported mass graves in the demilitarized zone. While not indifferent to the plight of Iraqis unaccounted for, the Coordinator noted that this issue was not within his mandate pursuant to resolution 1284 (1999). He was told by Kuwaiti officials in March 2002 that, although they did not consider themselves legally responsible for the missing Iraqis while Kuwait was under occupation, they had investigated those files.

22. In his contacts with the Iraqi authorities, the Coordinator raised, at the request of the United States, the case of Captain Michael Speicher, the United States Navy pilot who went missing during Operation Desert Storm in January 1991. The issue has been addressed at the meetings of the Tripartite Commission. The Coordinator

hopes that efforts to determine Captain Speicher's fate and whereabouts will continue.

23. When, after the fall of Saddam Hussein's regime, the first mass graves in Iraq containing the remains of Kuwaiti prisoners of war were discovered (see S/2003/813, paras. 9-12), the scale of the atrocities committed by the previous Iraqi regime began to emerge.

24. During his visits to Kuwait in August and November 2003, the Coordinator was informed by his interlocutors in the Foreign Ministry and the Kuwaiti National Committee for Missing Persons and Prisoners of War Affairs that, after the end of military operations by the Coalition forces, Kuwaiti search teams and technical experts had visited Iraq where, with the authorization of the Technical Subcommittee, they had searched for evidence to determine the presence of the mortal remains of Kuwaiti and third-country nationals in the graves.

25. The Coordinator was informed that the Iraqi delegation showed a new attitude at the meetings of the Technical Subcommittee. It provided information about new sites that might contain the remains of Kuwaiti detainees and displayed its sincerity in trying to bring the issue to a close. Ordinary Iraqis also helped to find the exact location of graves.

26. The official procedure for the exhumation and identification of mortal remains was adopted at the 25th meeting of the Tripartite Commission held on 1 June 2003 in Baghdad. Kuwait is cognizant of the reality that the graves in Iraq also contain the remains of Iraqis killed by Saddam Hussein's regime. Special techniques and procedures ensure that the full exhumation of bodies is done only after the analysis of the samples has confirmed that the bodies are those of Kuwaiti detainees and third-country nationals who were listed as missing in Kuwait. The Kuwaiti side expressed gratitude to the Authority for the assistance in search-and-identification operations conducted in Iraq.

27. It will be recalled that the United States, in informal consultations of the Security Council held on 16 June 2003, informed Council members, as well as the Coordinator, that it had established a special group on the ground to search for Kuwaiti and third-country nationals missing since the Gulf War.

28. On 8 June, the Kuwaiti authorities confirmed the identity of the remains of one Kuwaiti found in the mass grave at Samawa. The DNA analysis represented the first forensic evidence regarding a missing Kuwaiti prisoner of war. The remains of a second Kuwaiti were identified on 14 June. On 2 July, the Coordinator was informed that the remains of a third Kuwaiti had been identified through DNA testing.

29. In a statement to the press dated 26 August, the President of the Security Council noted that its members strongly condemned the grave violation of human rights and the killing of Kuwaiti and third-country nationals by the former regime of Iraq, in disregard of the provisions of international humanitarian law. The League of Arab States, the Organization of the Islamic Conference and the Non-Aligned Movement, at their ministerial meetings held in September 2003, condemned the flagrant violation of human rights and international law perpetrated by the former Iraqi regime against its own people, nationals of Kuwait and third countries. They stressed that the perpetrators of those crimes should be brought to justice.

30. In a letter dated 27 October 2003, the Chargé d'affaires of the Permanent Mission of Kuwait to the United Nations informed the Coordinator that the total number of remains of Kuwaiti and third-country nationals which had so far been identified was 45. The names are listed in annex I, where it is noted that some remains were those of citizens of Egypt, Lebanon and Saudi Arabia.

31. During his visit to the General Department of Criminal Evidence in Kuwait in November 2003, the Coordinator was given a tour of the laboratory which examines samples taken from the remains to determine identities and performs DNA testing. The files were considered closed after certification by the Department.

32. The Coordinator was shown a video about the exhumations at the graves discovered in Iraq. He was told by the officials in the laboratory, and also learned from other Kuwaiti interlocutors, that three graves had so far been found. One was located to the south of the city of Samawa; another was not far from Karbala; and the third one was also in southern Iraq. The exhumation work at the site near Samawa, which was the first one to be located, has been completed. It is expected to bring to a close some 150 cases. The work at Karbala is ongoing. Of 45 sets of remains, 42 came from Samawa and 3 from locations near Karbala.

33. The Kuwaiti side has learned that, in addition to the 150 persons whose remains were found near Samawa, approximately 300 persons had been sent to Basra by the then Iraqi regime. In Basra, they were split into groups of 20 to be sent to different Iraqi governorates. Apparently, the site at Karbala was one of those destinations. The Coordinator was also given photographs (annex II) of search, soil removal, clean-up and exhumation procedures at Samawa and Karbala. They clearly show the human remains with bullet-entry marks in the skulls, as well as empty cartridges and the tracks of truck tyres. The Coordinator was informed that the people whose mortal remains were identified had been killed in 1991-1992.

34. More and more Kuwaitis are now resigned to the belief that all the Kuwaitis who were listed as missing are probably dead. According to an AFP report dated 25 October, which quoted Kuwaiti sources, the remains of one Egyptian and 10 Kuwaiti prisoners found in a mass grave in Iraq were buried in Kuwait on that day.

35. Nevertheless, when, on 4 November, the Coordinator met in Kuwait with the representatives of the Association of the Families of Kuwaiti Prisoners and Detainees led by its Chairman, Abdullah al-Faji, they expressed hope that some of the missing were still alive. They urged the United Nations and the Coordinator to continue their work in disclosing the fate of Kuwaiti and third-country nationals.

36. The Coordinator is aware that claims of individuals detained in Iraq may be filed within one year of the detainee's release or death, as legally determined by the detainee's Government. There are also provisions for compensation for the families of missing persons. On 4 November 2003, the Coordinator had a meeting with Adel Omar Asem, the Deputy Chairman of the Public Authority for Assessment of Compensation for Damages Resulting from Iraqi Aggression. He was told that Kuwait had not submitted to the United Nations Compensation Commission claims with regard to 605 people whose files had been closed, pending a decision of the Governing Council of the Commission, on whether those issues can be addressed on a case-by-case basis and whether the definition of those to whom compensation should be paid can be modified. The Coordinator hopes that these questions may be resolved soon. He understands from the Executive Secretary of the Commission that

the related issues are on the agenda of the fiftieth session of the Governing Council, which is to be held at Geneva from 16 to 19 December 2003.

IV. Return of Kuwaiti property seized by Iraq

37. In June 2000, in my second report (S/2000/575), which dealt with the issue of Kuwaiti property, I noted that Iraq had returned a substantial quantity of property over a nine-year period. The bulk of the returns occurred between 1991 and 1994. However, there remained many more items which Iraq was under obligation to return to Kuwait. Those items were referred to in documents S/1994/243/Add.1, S/1994/1126 and S/1996/1042 and are also described in the annexes to documents S/2000/575 and S/2000/1197.

38. Among the items stolen by the then Iraqi regime during the invasion of 1990-1991, Kuwait has considered essential the return of archives, military equipment and the items from the Islamic and National Museums. Particular importance has been given to the issue of the return of the national archives, which belonged to the offices of the Amiri Diwan, the Ministry of Foreign Affairs, the Prime Minister and other government ministries and institutions.

39. In accordance with the relevant provisions of international law, Iraq was obliged to identify and return Kuwait's property. The international community urged Iraq to fulfil its obligations. The Security Council recognized the importance of this issue and, on more than one occasion, called on Iraq to return the stolen items as well as cooperate fully with the Coordinator. Members of the Security Council emphasized the urgency and importance of the return of the country's historical and cultural heritage, including Kuwaiti archives which represented the memory of the country. Similar appeals were addressed to Iraq by the League of Arab States, including at its fourteenth summit held in Beirut in March 2002, the Organization of the Islamic Conference, the Non-Aligned Movement, the Gulf Cooperation Council and the European Parliament.

40. Throughout the entire period of the Coordinator's mission, the then Government of Iraq maintained that it had already returned a large part of the Kuwaiti property and pledged to hand over to Kuwait any item that might still be found. In January 2003, the Coordinator was informed in Baghdad by Iraqi officials that they were searching for Kuwaiti documents and that Iraq had no incentive to keep such documents. Iraq also affirmed that the issue of property should be addressed under Security Council resolution 687 (1991). It asserted that persons whose property was not returned could file compensation claims with the United Nations Compensation Commission.

41. The Coordinator was aware of the conclusions made by the Amorim panel that the Compensation Commission could address only the issue of those replaceable items that were claimed to have been lost while in Iraqi possession. The Commission, however, was not empowered to compel the return of irreplaceable objects and other tangible properties stolen by Iraq, since it had been established for the purpose of awarding monetary compensation for losses and had no mechanism for requiring or enforcing specific performance. Furthermore, the Commission could not recommend compensation if there was no claim for such compensation.

42. In May 2002, I was informed by the Secretary-General of the League of Arab States of Iraq's decision to return, as it claimed, nearly 90 per cent of the Kuwaiti national archives. Members of the Security Council welcomed this news. In fact, Iraq's offer was the acknowledgement by the Government of Iraq that it did possess Kuwait's national archives. On 31 May, I proposed to Kuwait and Iraq the re-establishment of the mechanism previously used for the return of property (see S/2002/664, para. 29). Both Governments concurred with my suggestion. Iraq insisted that the mechanism include the participation of the League of Arab States.

43. The actual transfer of documents and files gathered by Iraq took place at Camp Abdally Kuwait, from 20 to 29 October 2002. The United Nations team, led by Assistant Secretary-General J. Richard Foran, arranged the transfer operation while representatives of the League of Arab States witnessed it. At no time were the documents in the custody of the United Nations. Its role did not include any inspection of the documents. While the Kuwaiti delegation did not inspect the documents and files on site, it asserted its right to examine them thoroughly after their transfer and to provide any comments within 60 days.

44. In a letter to me dated 8 November 2002, the then Minister for Foreign Affairs of Iraq referred to the completed operation at Camp Abdally as the handover of the Kuwaiti archives. However, the First Deputy Prime Minister and Minister for Foreign Affairs of Kuwait, in a communication to me dated 20 November, noted that "from the preliminary scrutiny of the documents made by the agencies concerned, and despite the fact that they include files belonging to the Ministry of Foreign Affairs and the Office of the Amir, it has become evident that they are of a routine character and do not in any way amount to what can be considered State archives". Subsequently, Kuwait confirmed that the documents returned consisted of routine papers and correspondence between State ministries, as well as application forms.

45. On 18 December 2002, the members of the Security Council noted the return of documents previously removed from Kuwait. They agreed that Kuwait was uniquely positioned to ascertain whether Iraq had returned all documents, including national archives. Only Kuwait had the right to render judgement on the authenticity and significance of the documents it received.

46. On 22 December 2002 and 3 February 2003, Iraq, in an operation facilitated by UNIKOM, returned some small items of Kuwaiti property (see S/2003/614, annexes I and II) found in its territory since 1997. The transfer, arranged in February 2003, was the last before the outbreak of hostilities in March 2003.

47. It is important to note that while the previous Iraqi regime returned to Kuwait some documents and properties which were deemed stolen at the time when the Coordinator began his mission, the Kuwaiti archives — a priority for the country — along with military equipment seized by Iraq, remain largely unreturned.

48. During informal consultations of the Security Council on 16 June, members of the Council reiterated their support for the Coordinator in facilitating the return of Kuwaiti property and military equipment. Some pointed out that the previous Government of Iraq had cooperated only "symbolically" on procedural issues. The Coordinator was aware that the special group established by the United States and referred to in paragraph 27 of the present report is also entrusted with searching for the stolen Kuwaiti archives.

49. In another development, the Coordinator was requested by the Kuwaiti authorities, in June 2003, to look into the matter of spare parts belonging to the Kuwait Airways Corporation, stolen from Kuwait in 1990-1991 by the then Iraqi regime. The parts had reportedly been found on board two aircraft (Boeing 747) of Iraqi Airways Corporation, parked in Tozeur, Tunisia.

50. On 2 July 2003, the Coordinator had a conversation with the Permanent Representative of Tunisia to the United Nations, who confirmed that two Iraqi aircraft were indeed on Tunisia's territory. He also stressed that Tunisia had no interest in keeping the two aircraft. Subsequently, in a letter dated 14 July addressed to the Coordinator, the Permanent Representative of Tunisia stated that his country was ready to receive an expert from Boeing Company to verify the contents of the Iraqi aircraft stationed in Tunisia.

51. On 26 August, in a letter to the Chairman of the Security Council Committee established by resolution 661 (1990), the Government of Tunisia stressed that the above mentioned aircraft, and two others parked in Tunisian territory, remained at the disposal of the United Nations and under their responsibility. It noted that the Security Council and the Committee established by resolution 661 (1990) must decide on their disposal in a manner they deemed appropriate, including their possible sale. The Government of Tunisia stressed that the Tunisian agencies were incurring high costs from the presence of the aircraft.

52. On 28 October 2003, the Coordinator wrote to the Chairman of the Security Council Committee established by resolution 661 (1990), requesting him to look into the matter of the stolen Kuwaiti spare parts so that they could be promptly returned to the legitimate owner. While in Kuwait, he met, on 4 November, with Sheikh Talal Moubarak al-Sabah, Director General of Kuwaiti Airways, and called for a bilateral resolution of this issue, namely between Kuwait and Tunisia. He expressed the view that the inclusion of representatives of Iraq would be helpful in resolving the issue, noting that the aircraft belonged to Iraq.

53. The Coordinator is aware that, in a letter dated 30 October 2003 addressed to the Permanent Representative of Tunisia, the Chairman of the Security Council Committee established by resolution 661 (1990), referring to the instructions given by the members of the Committee, requested the Tunisian authorities to liaise directly with the relevant authorities in Kuwait in order to resolve the issue amicably.

V. Conclusions and observations

54. After many years of manoeuvring and denial by the previous Government of Iraq, a grim truth is unveiling itself. The discovery of mass graves in Iraq containing the mortal remains of Kuwaitis is a gruesome and devastating development. I wish to extend my heartfelt condolences to the families of those persons and to the State of Kuwait.

55. While hope has not faded that some of the 605 persons in question will be found alive, the prospects for this to happen are diminishing. There may also be cases of individuals whose fate will remain unknown for many years to come, if it is ever to emerge.

56. I strongly condemn the killing of Kuwaiti and third-country nationals by the previous Iraqi regime. The removal from Kuwait of civilians — men and women — their execution in cold blood in remote sites in Iraq, and a decade-long cover-up of

the truth constitute a grave violation of human rights and international humanitarian law. Those responsible for these horrendous crimes, particularly those who ordered the executions, must be brought to justice.

57. I regret that the Kuwaiti archives and Kuwaiti military equipment have not been returned to the country. I trust that the Iraqi Governing Council, the Coalition Provisional Authority and the special group established by the United States will maintain their commitment to the search and return of Kuwaiti property and archives.

58. The fall of Saddam Hussein's regime and the opening of avenues for direct contact between the parties concerned inspired hopes for an early resolution of all outstanding questions. Progress has been achieved, and I am grateful for the support extended to the High-level Coordinator by the Security Council, the League of Arab States, the Organization of the Islamic Conference and all those who have assisted in resolving Kuwait's long-standing humanitarian concerns. I value the trust Kuwait and its people have put in the efforts of Ambassador Vorontsov.

59. The overview contained in this report has shown that there is room for further progress towards a satisfactory solution of the remaining humanitarian concerns of the State and people of Kuwait. More time will be needed and more efforts required before the questions of concern to Kuwait can be settled.

60. Members of the Security Council are in receipt of a letter from the Minister for Foreign Affairs of Kuwait dated 24 November 2003, in which the Government of Kuwait strongly encouraged the United Nations to pursue and resolve the issues of the Kuwaiti prisoners and third-country nationals, as well as Kuwaiti properties. The Minister stressed in the letter that, given the fact that not all files relating to those two issues have been completely closed, Kuwait would be in favour of extending the mandate of the High-level Coordinator, Ambassador Vorontsov, in accordance with paragraph 14 of resolution 1284 (1999).

61. In my previous report (S/2003/813), I suggested that the Security Council consider bringing the Coordinator's mandate to a close. In view of the above-mentioned request by the Government of Kuwait and of the overview contained in this report, the Council will have to determine whether it would wish the mandate outlined in paragraph 14 of resolution 1284 (1999) to continue.

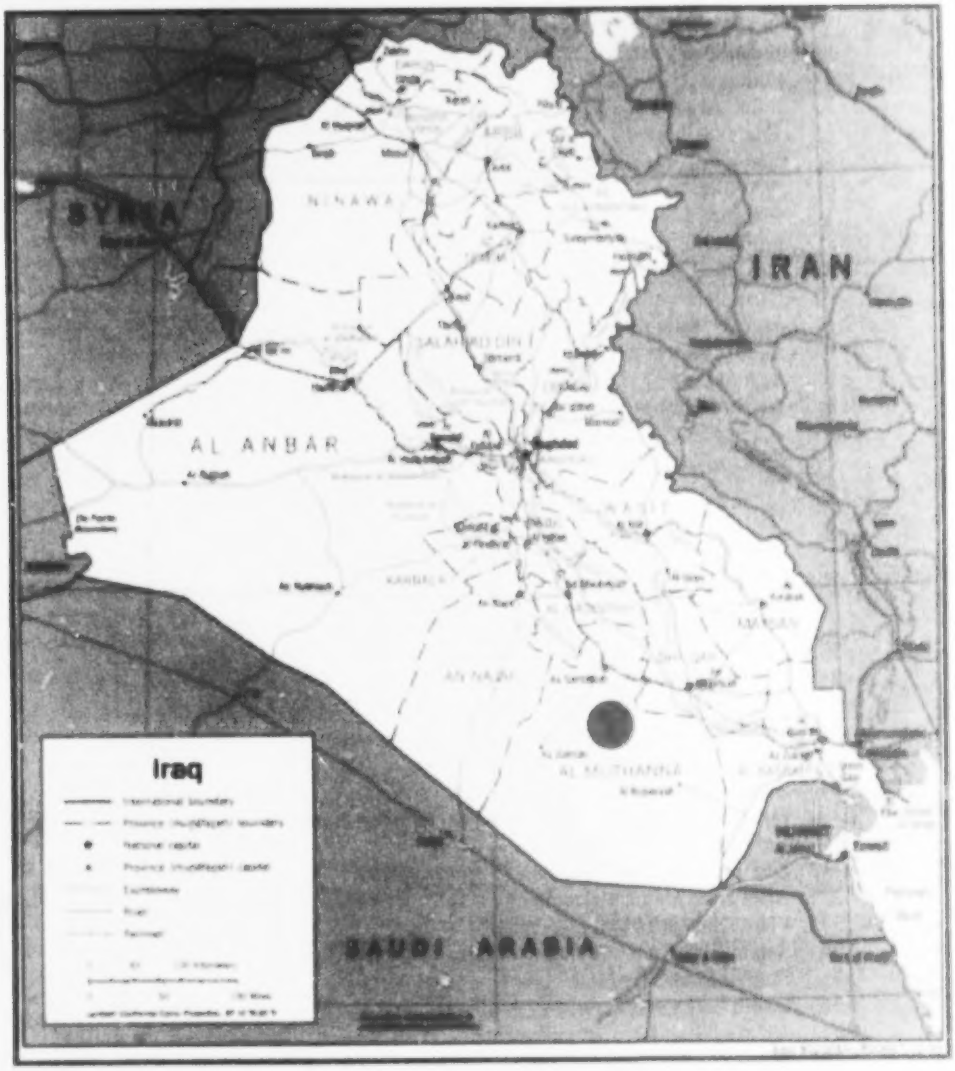
Annex I

Names of Kuwaitis and third-country nationals whose remains have been identified

1. Saad Meshal al-Enezi
2. Ahmed Abdullah al-Ghallaf
3. Saleh Ali al-Hayani
4. Enam al-Edan
5. Naser al-Enezi
6. Abdullatif al-Waheb
7. Mahmoud Sayed Reda
8. Faihan Mohammad al-Mutairi
9. Nasser Sherif al-Kaldi
10. Daad Omar al-Hariri (Lebanese)
11. Jassem Hamid Abdallah al-Samak
12. Ibjad Alous al-Mutairi
13. Lafi Faihan Mohammad Laili al-Mutairi
14. Abdul Rahman Saad Marzook al-Otati
15. Mohammed Ghazi Saad Ali al-Mutari
16. Farhan Harbi Sakid al-Ghafiri
17. Obaid Falah Husaini al-Mutari
18. Hamad Mohammad al-Ajami
19. Taleb Amin Jassem Saleh
20. Fahd Sulayman Aswad al-Enezi
21. Fahd Akil Rakan al-Zufayri (Saudi citizen residing in Kuwait)
22. Misfir Mehana Misfir al-Sharifa al-Hayari
23. Nasser Ayed Duhayran al-Oteibi
24. Mohammad Nasser Sharid al-Ajami
25. Assal Turki Kusayman al-Ajami
26. Abdallah Sulayman Abdallah al-Amir
27. Abdulaziz Yussef Abdulaziz Alyamani
28. Amer Deydan Ali al-Ajami
29. Sobhi Khalil Nousouhi Haydar (Lebanese)
30. Raja Hamud Saleh al-Sahli
31. Khaled Saleh Abdulrahman al-Tuwaygeri
32. Adel Fahd Hama al-Hamad
33. Fahd Khalifa Jadlan al-Marikhi
34. Salem Ebeid Abdallah al-Mutayri
35. Shojah Madi al-Ajami
36. Habib Saleh al-Zaqah
37. Ali Abdallah Ali al-Duwaysan
38. Maayuf Jaber Sahud al-Harbi
39. Yacub Yussef Bader al-Ustaz
40. Mansour Tulayhan Samar al-Mutayri
41. Hamdi Humaydi Ghazi al-Otaibi
42. Mohsen Mohammad Mohsen al-Ajami
43. Rajeh Zeyab Bedah Nahar al-Mutayri
44. Mansour Faleh Nasser al-Sakeb
45. Ahmad Mahmoud al-Hattab (Egyptian)

Annex II

Photographs of mass graves found in southern Iraq

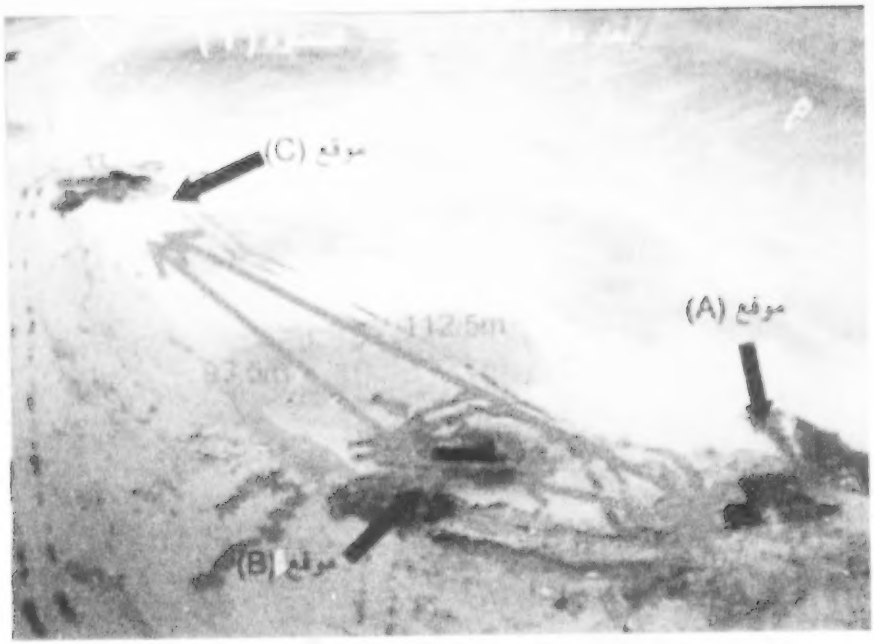


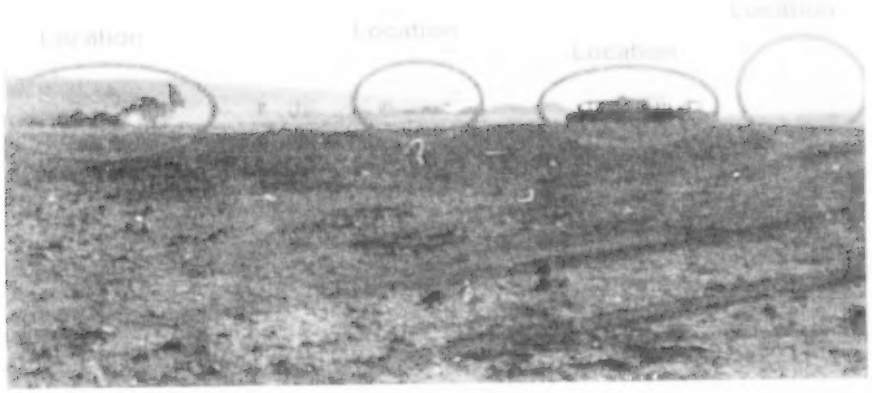
Mass graves found in Faithat Azayer area

RMU 7479098238 38

Longitude: 30° 43'06 N

Latitude: 44° 44'03 E





Locations of mass graves

Technical process for finding remains

Location (A)

The remains after clean-up process

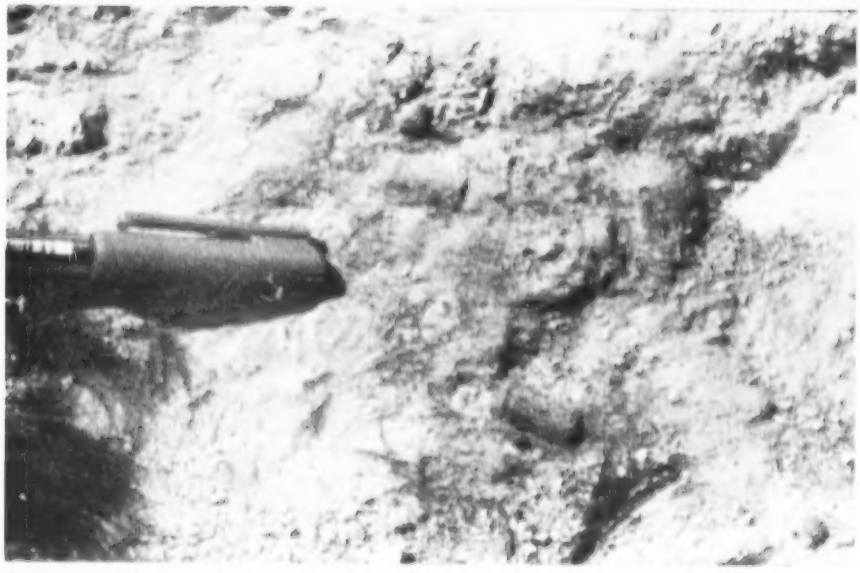
Location Al-Samawa (B)

The remains after clean-up process

Technical process for finding remains

Location (C)

Traces of trucks which were involved in the massacre of Kuwaiti prisoners of war



Empty catridges

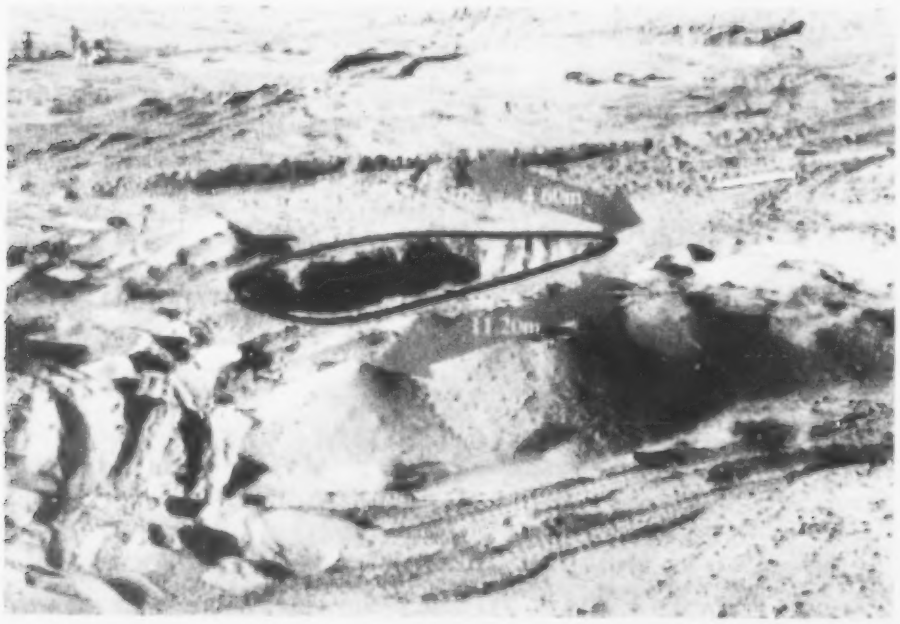
Location (D)

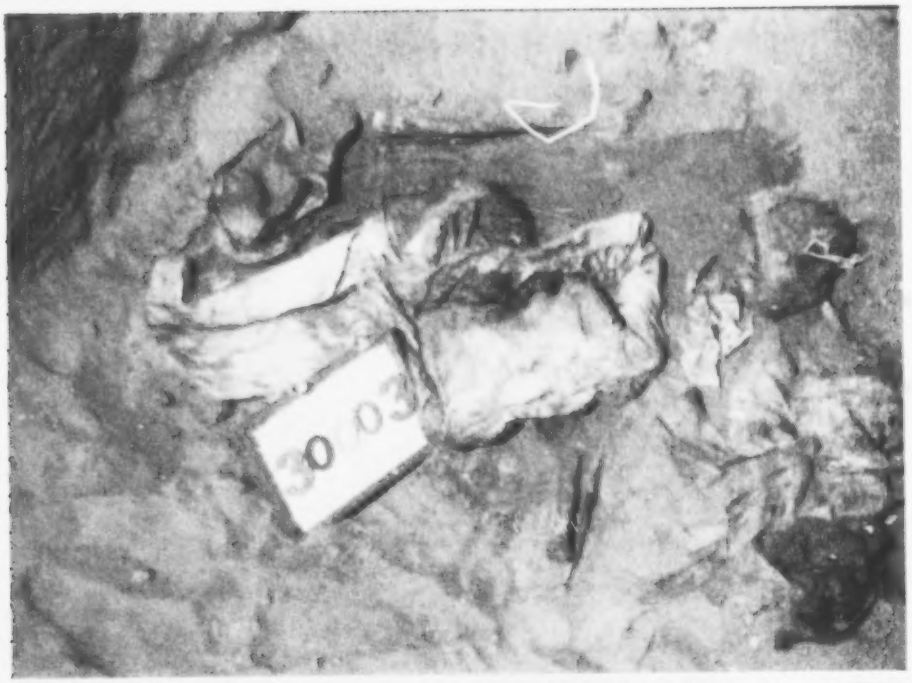
Technical process for finding remains

Mass graves found in Karbala

Location 1 — N 3230745 E 04347926 Location 2 — N 3230742 E 04347912

Location 1





Human remains location 2

30 05